

ARTICLE APPEARED
ON PAGE

A18

NEW YORK TIMES
16 October 1985

Summations Are Presented in Spy Trial of Former F.B.I. Agent

By JUDITH CUMMINGS
Special to The New York Times

LOS ANGELES, Oct. 15 — A Government prosecutor today portrayed Richard W. Miller, a former agent of the Federal Bureau of Investigation, as the man who "turned over the playbook of American intelligence operations worldwide" to the Soviet Union.

The prosecutor, Russell Hayman, an assistant United States attorney, made the statement in his closing argument in the trial of Mr. Miller, the first F.B.I. agent ever accused of espionage.

Mr. Miller, who has pleaded not guilty to the charges, has said his dealings with Soviet agents were an effort to infiltrate the K.G.B., the Soviet intelligence agency, which he felt would rescue his flagging career.

Mr. Miller, 48 years old, is charged with conspiracy to commit espionage

and with having given classified documents to the Soviet Union in 1984 in collaboration with his lover, Svetlana Ogorodnikov, a Russian émigré who has pleaded guilty to being a Soviet agent. The trial in Federal District Court began Aug. 6.

Defense Begins Summation

Joel Levine, one of Mr. Miller's lawyers, said at the start of his summation late today, "We have received not the presumption of innocence but the presumption of guilt" from the F.B.I.

Mr. Hayman said the "playbook," entitled "Reporting Guidance: Foreign Intelligence Information," was the most critical of the documents Mr. Miller is said to have given to Mrs. Ogorodnikov. Mr. Miller is also charged with soliciting bribes in return for his cooperation.

The F.B.I. has said the intelligence guide could provide the K.G.B. with a

detailed account of techniques of American intelligence operations.

Mr. Miller, who had been an F.B.I. agent for 20 years, was dismissed hours before his arrest Oct. 2, 1984. He faces a possible life sentence if he is convicted.

As Mr. Miller's wife, Paula, sat in the rear of the courtroom, Mr. Hayman described for the jury the events set forth in the trial.

He said that in 1984 Mr. Miller embodied the classic signs of vulnerability to Soviet recruitment. Mr. Hayman said Mr. Miller was in arrears in his mortgage payments, had been suspended for two weeks without pay because he was overweight and had been put on final probation by the bureau.

The prosecutor said Mr. Miller had been excommunicated by the Mormon Church, was socially isolated and had marital problems. The Millers have eight children.

Mr. Miller was suspended from the bureau in late April 1984, after weeks when his weight fluctuated between 225 pounds and nearly 250 pounds.

Meeting With Russian

Two and a half weeks after Mr. Miller returned to duty, Mr. Hayman said, he was approached by Mrs. Ogorodnikov when he "was still feeling the pressure" of his humiliation.

From her first telephone call to Mr. Miller at the F.B.I. office in Los Angeles in May 1984, Mr. Hayman said, Mrs. Ogorodnikov, who is 34 years old, moved quickly, using sex and money to gain control over him.

Mr. Miller was compromised from the first day, Mr. Hayman told the jury, when he defied a superior's instruction not to see Mrs. Ogorodnikov again because she was known to have contacts at the Soviet consulate in San Francisco. Mr. Hayman said Mr.

Miller had sexual relations with Mrs. Ogorodnikov in a bureau car the same day.

Mr. Hayman said the "K.G.B. pitched Miller" Aug. 5, 1984, when Mrs. Ogorodnikov asked him to provide bureau documents.

"He named his price, \$50,000 in gold; that constituted the conspiracy," Mr. Hayman told the jury. "The defense says he had his fingers crossed under the table. But the evidence suggests that Mr. Miller needed money, he was obsessed with money, and that's why he stated his terms."

Mr. Hayman said Mr. Miller crossed the point of no return in late August 1984 when he accompanied Mrs. Ogorodnikov to San Francisco and gave her his F.B.I. credentials and the intelligence reporting guide. He said Mrs. Ogorodnikov turned the documents over to the K.G.B.